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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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7 UNITED STATES OF AMERICA,  
8 Plaintiff,  
9 v.  
10 ROBERT JACOBSEN,  
11 Defendant.

Case No. [15-cr-00518-MMC-1](#)

**ORDER GRANTING IN PART AND  
DEFERRING RULING IN PART ON  
DEFENDANT'S MOTION FOR  
APPELLATE COUNSEL ACCESS TO  
TRANSCRIPTS AND DOCUMENTS;  
DIRECTIONS TO PLAINTIFF;  
DIRECTIONS TO DEFENDANT'S  
COUNSEL**

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13 Before the Court is defendant's "Motion for Appellate Counsel Access to Sealed  
14 and NFPV Transcripts and Documents," filed November 1, 2018. Having read and  
15 considered the motion, the Court rules as follows.

16 1. To the extent defendant seeks an order allowing his appellate counsel to have  
17 access to the sealed transcript of proceedings conducted April 11, 2018, the motion is  
18 hereby GRANTED.

19 2. To the extent defendant seeks an order allowing his appellate counsel to have  
20 access to "NFPV" transcripts (see Def.'s Mot. at 2:2), i.e., transcripts not under seal but  
21 with limited access for 90 days after electronic filing, the motion is hereby GRANTED.

22 3. To the extent defendant seeks an order allowing his appellate counsel to have  
23 access to sealed filings that were submitted by defendant, specifically, Doc. Nos. 76-81,  
24 86-94, 95-98, 117-121, and by the parties jointly, specifically, Doc. No. 126, the motion is  
25 hereby GRANTED.

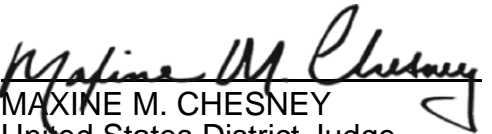
26 4. To the extent defendant seeks an order allowing his appellate counsel to have  
27 access to sealed filings that were submitted by the government, specifically, Doc. Nos. 71  
28 and 72, the Court hereby DEFERS ruling and the government is hereby DIRECTED to

1 file, no later than November 16, 2018, any opposition or other response to defendant's  
2 request for access to said filings. As of November 16, 2018, the Court will take the  
3 deferred portion of defendant's motion under submission.

4 5. Defendant's appellate counsel is DIRECTED to destroy all sealed and NFPV  
5 transcripts and filings in his possession when the appeal becomes final, as measured by  
6 the expiration of the time to seek certiorari in the United States Supreme Court or the  
7 conclusion of any United States Supreme Court proceedings, whichever is later.

8 **IT IS SO ORDERED.**

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10 Dated: November 6, 2018

  
MAXINE M. CHESNEY  
United States District Judge